THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20385 OF 2007

DATED:27-09-2007

BETWEEN:

Sanapala Sridharudu(DIED) & 33 others.

..... PETITIONERS

AND

The Revenue Divisional Officer,
Visakhapatnam (Rural),
Visakhapatnam District & 2 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioners; learned Government Pleader for Revenue; and the learned standing counsel for Endowments appearing for the respondents.

2. Petitioners seek a writ of mandamus directing the 1st respondent-Revenue Divisional Officer to take up the appeal with Ref.No.2588/2002/C, filed on 04-06-2002, for final hearing and dispose of the same within four weeks from the date of receipt of this order.

3. It is stated that the 2nd respondent-Mandal Revenue Officer vide his proceedings No.AIAC.No.2/96 granted patta in favour of the 3rd respondent-Sri Varahalakshminarasimha Swamy Vari Devasthanam, Simhachalam, Visakhapatnam in respect of the land of an extent of Ac.1036.03 cents in various survey numbers. One Sarapala Sridharudu-1st petitioner herein and twenty others-petitioners herein filed an appeal, and during pendency of the appeal, the said Sridharudu died and his legal heirs-the other petitioners herein, were brought on record but the said appeal is pending on the file of the 1st respondent and though notice, dated 05-03-2007, was issued posting the said AIAC.No.2/1996 'for hearing' to 23-04-2007, but the matter is being adjourned from time to time without taking any concrete steps to dispose of the appeal.

4. I am not inclined to express any opinion with regard to the delay in disposing of the appeal, but however, as the appeal is

said to have been filed in the year, 2002, there cannot be any justification in keeping the appeal pending for such a long period.

5. Having regard to the facts and circumstances of the case, 1st respondent is directed to consider and dispose of the said appeal as expeditiously as possible without any undue delay after giving reasonable opportunity to all the concerned, preferably within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

27th September, 2007.
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